

NEGATIVE DECLARATION

August 3, 2006

Project Name: Old San Marcos (Twin Oaks) Schoolhouse

Project Number(s): P02-027, Log No. 03-08-044

**This Document is Considered Draft Until it is Adopted by the Appropriate
County of San Diego Decision-Making Body.**

This Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
- b. Environmental Analysis Form and attached extended studies for Drainage, Noise, Stormwater, Traffic and Cultural Resources

1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

DEPARTMENT OF PUBLIC WORKS MITIGATION

Prior to approval of this Major Use Permit, the applicant shall:

A. TRANSPORTATION

The payment of the Transportation Impact Fee, which in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

DEPARTMENT OF PLANNING AND LAND USE MITIGATION

Prior to any use of the premises pursuant to this Major Use Permit, the applicant shall:

A. LANDMARKING

The applicant shall prepare and submit to the County of San Diego Historic Site Board (Historic Site Board), an application for Landmark Designation for the Old San Marcos (Twin Oaks) Schoolhouse that is described in the Cultural Resources report prepared by Edith Bagwell Hughes dated 1995. The Historic Site Board shall examine the documentation and make a recommendation to the Director of Planning and Land Use (Director). The Director shall review the nomination for Landmark Designation and make a decision whether the resource is eligible for Historic Designation in accordance with Ordinance 9493 (Local Register of Historical Resources adopted August 14, 2002).

As on-going conditions of the project, the applicant shall comply with the following:

B. NOISE CONDITIONS:

1. Limit the recreational/social events held at the Old San Marcos Schoolhouse to Saturdays and Sundays between the hours of 8:00 a.m. and 9:30 p.m.
2. All personnel, maintenance staff, visitors, and their vehicles shall not be allowed on the premises after 10:00 p.m. or before 7:00 a.m. at any time.

3. Prohibit the permanent installation of exterior noise generating equipment such as air conditioners without a modification of this use permit.
4. Prohibit the use of sound amplifying devices such as a public address system or speakers at any outdoor location on the project site.
5. Limit the total number of participants at these recreational or social events to 150 at any time on the project site.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

DEPARTMENT OF PUBLIC WORKS CONDITIONS

A. Prior to approval of this Major Use Permit, the applicant shall:

1. Cause to be granted an Irrevocable Offer of Dedication for real property for public highway required to complete a fifty-five foot (55') wide, one-half right-of-way width on the project side of the ultimate centerline of **Deer Springs Road, SF 1414** (Major Road with Bike Lane), plus the right to construct and maintain slopes and drainage improvements as required beyond the fifty-five foot (55') limit for that portion within the land division.

Any dedication or offer of dedication shall be free of any burdens or encumbrances that would interfere with the purpose for which the dedication or offer of dedication is required. All access easements for any utilities must be plotted on the Plot Plan.

B. Prior to any use of the premises pursuant to this Major Use Permit, the applicant shall:

1. Obtain a Construction Permit and/or Encroachment Permit for any and all work within the County road right-of-way. Contact DPW

Construction/Road right-of-way Permits Services Section, (858) 694-3275, to coordinate departmental requirements.

2. Obtain approval for the design and construction of all driveways, turnarounds, and private easement road improvements to the satisfaction of the San Marcos Fire Protection District and the Director of Public Works.
3. Provide for the maintenance of the on-site and off-site private road that serves the property.
4. Obtain a grading permit prior to commencement of grading when quantities exceed 200 cubic yards of excavation or five feet (5') of cut/fill per criteria of Section 87.201 of the County Zoning and Land Use Regulations.
5. Comply with all applicable Stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information on-site concerning Stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
6. Pay the project's portion of the County's Traffic Impact Fee (TIF) as mitigation for the project's potential cumulative traffic impacts to the regional roadway network.
7. Comply with street lighting requirements as follows:
 - a. Allow transfer of the property subject to Major Use Permit 02-027 into Zone A of the San Diego County Street Lighting District without notice or hearing and pay the cost to process such transfer.
8. Furnish the Director of Planning and Land Use, along with his request for final inspection, a letter from the Director of Public

Works, stating conditions A-1, thru B.7.a have been completed to the department's satisfaction.

ADOPTION STATEMENT: This Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Director of Planning and Land Use

on _____

JOSEPH FARACE, Planning Manager
Regulatory Planning Division

JF:GW:jcr

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